

REMARKS

Upon entry of this Amendment, claims 1, 2, 8 – 11 and 13 - 19 will be pending.

Claims 3 – 7, 12 and 20 - 24 are currently withdrawn from consideration pursuant to 37 C.F.R. 1.142(b).

The Applicants appreciate the Examiner's continued attention and consideration.

The subject Office Action indicates that the Applicants have not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. 1. Specifically, the prior filed provisional application fails to disclose "the securing of the anchor frame to a frame of a vehicle seat and the brackets extending through a juncture gap between back and seat cushions".

The Applicants respectfully disagree. The paragraph in the provisional application specification describing Figure 1 (lines 19 – 22) recites "Figure 1 shows three views of an end portion 10 of a tether anchor plate (anchor frame) that extends across the back of a seat cushion 14 and is bolted to the (seat) frame using bolt holes 12.". Furthermore, Drawing figure 2b clearly shows (in phantom) a seat back and a seat cushion with a tether anchor bracket 20 extending between the two.

Accordingly, it is requested that the rejection be withdrawn.

Claim 9 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the specification is characterized as not reciting or implying that the control unit 18 is operative to generate an output signal (outwardly directed arrow from control unit 18) as a function of occupant weight output signal (arrow from pressure sensor 14 to control unit 18) and a tension sensor output signal (arrows/lines 40a & b from tension sensors 30a & b to control unit 18). The Office Action indicates that "no integration or evaluation of the weight output signal and the tension sensor output signal in conjunction with one another has been recited".

The Applicants respectfully disagree. The generation of a single output from the multiple inputs is clearly shown in Figure 1. Furthermore, the specification paragraph beginning on line 20 of page 3 clearly states that the PODS ECU 18 "utilizes the anchor tension signals to detect the presence of an infant or child seat 26, and **also to compensate the occupant seat weight indication (the pressure signal output of pressure sensor 14, for example) or a threshold to which the occupant seat weight indication is compared**".

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Furthermore, the second paragraph of the provisional application specification indicates “ ... the (tether tension) load can be measured and used to proportionally factor the seat cushion force to ensure proper child seat classification”.

Taken as a whole, the provisional/utility applications are believed to clearly describe the invention as presently claimed.

Accordingly, it is requested that the rejection be withdrawn.

Claims 1, 2, 8, 10, 11 and 13 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skofljanec et al. (U.S. 6,419,199 B1) in view of Miyagawa (U.S. 6,371,516 B1).

Independent claims 1 & 8 have been amended to more clearly define the present invention. Both now require that the “tension sensor (is) operative to provide a tension sensor output signal to said occupant detection system electronic control unit **as a function of the sensed tension in said tether strap.**”.

Neither of the cited references, alone or in combination, disclose or suggest the presently claimed invention.

Accordingly, it is requested that the rejection be withdrawn.

Conclusion

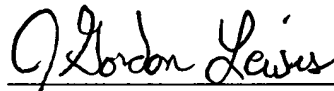
Applicant believes, in view of the amendments and remarks herein, that all grounds of rejection of the claims have been addressed and overcome, and that all claims are in condition for allowance.

If it would further prosecution of the application, the Examiner is urged to contact the undersigned at the telephone number provided.

A Notice of Appeal, including the requisite fee, is enclosed herewith.

The Commissioner is hereby authorized to charge any fees associated with this communication to Deposit Account No. 50-0831.

Respectfully submitted,

A handwritten signature in cursive script, reading "J. Gordon Lewis", is written over a horizontal line.

J. Gordon Lewis – 28,735
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Enclosure